

**ZONING COMMITTEE
AGENDA
WEDNESDAY, JUNE 2, 2010**

A. ADOPTION OF AGENDA

B. APPROVAL OF MINUTES

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

10-O-0957 (1)
Z-10-11 An Ordinance by Zoning Committee to rezone from the C-2 (Commercial Service) District to the MRC-2 (Mixed Residential Commercial) District, property located at **300 and 306 Ponce de Leon Avenue, NE**, fronting approximately 100.35 feet on the north side of Ponce de Leon Avenue at the southeast intersection of Argonne Avenue and Ponce de Leon Avenue.

Depth: Varies

Area: Approximately 0.427 Acre

Land Lot: 48, 14th District, Fulton County, Georgia

Owner: The Bootery Inc., Profit Sharing, et. al.

Applicant: Robert M. Cain

NPU-E

Council District 6

10-O-0958 (2)
Z-10-12 An Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the NC-7 (Existing Traditional Neighborhood) District, properties located at **287 and 289 Little Street, SE and 288 Grant Park Place, SE**, fronting approximately 120 feet on the east side of Hill Street, approximately 53.50 feet on the north side of Grant Park Place and approximately 53.5 feet on the south side of Little Street.

Depth: Varies

Area: Approximately 0.15 Acre

Land Lot: 43, 14th District, Fulton County, Georgia

Owner: Thomas "T. L." Lee Spangler

Applicant: Douglas A. Lueder

NPU-W

Council District 1

10-O-0959 (3)
Z-10-13 An Ordinance by Zoning Committee to rezone from the C-4 (Commercial Residential) District to the C-3 (Commercial Residential) District, property located at **333 Highland Avenue, NE**, fronting approximately 237.99 feet on the west side of Hilliard Street, approximately 69 feet on the south

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PAGE TWO**

C. ORDINANCES FOR FIRST READING (CONT'D)

side of North Highland Avenue and bordering Interstate
75/85 Connector with approximately 214.44 feet.

Depth: Varies

Area: Approximately 0.554 Acre

Land Lot: 46, 14th District, Fulton County, Georgia

Owner: 333 Highland Avenue Associates, LLC

Applicant: 333 Highland Avenue Associates, LLC

NPU-M

Council District 2

**10-O-0960 (4)
U-10-18**

An Ordinance by Zoning Committee granting a Special Use
Permit for a Daycare Center pursuant to Section 16-16-
06.005(l)(b) property located at **3297 Fairburn Road, SW**,
fronting approximately 75 feet on the northwesterly side of
Fairburn Road and approximately 940 feet east of the
Seaborad Coast Railroad Line.

Depth: Varies

Area: Approximately 0.472 Acre

Land Lot: 35, 14th ff District, Fulton County, Georgia

Owner: Arlethea Marie Scrivens-Aghaji

Applicant: Arlethea Marie Scrivens-Aghaji

NPU-P

Council District 11

**10-O-0961 (5)
U-10-19**

An Ordinance by Zoning Committee granting a Special Use
Permit for a Daycare Center pursuant to Section 16-
35.007(l)(c) property located at **2392 Donald Lee Hollowell
Parkway, NW**, fronting approximately 81 feet on the south
side of Donald Lee Hollowell Parkway and approximately 163
feet east of the intersection of Center Hill Avenue and Donald
Lee Hollowell Parkway.

Depth: Approximately 200 Feet

Area: Approximately 2.99 Acres

Land Lot: 177, 14th District, Fulton County, Georgia

Owner: William H. Palmer, Sr.

Applicant: William H. Palmer, Sr.

NPU-J

Council District 9

**10-O-0962 (6)
U-10-20**

An Ordinance by Zoning Committee granting a Special Use
Permit for a Church pursuant to Section 16-06.005(l)(c)
property located at **3267 and 3309 Jonesboro Road, SE**,
fronting approximately 508 feet on the west side of

**ZONING COMMITTEE AGENDA
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PAGE THREE**

C. ORDINANCES FOR FIRST READING (CONT'D)

Jonesboro Road beginning 132.60 feet from the intersection of Jonesboro Road and Macedonia Road.

Depth: Varies

Area: Approximately 3.29 Acres

Land Lots: 34 and 35, 14th District, Fulton County, Georgia

Owner: Willie W. Williams

Applicant: Willie W. Williams

NPU-Z

Council District 12

REGULAR AGENDA

D. COMMUNICATION

- 10-C-0913 (1) A Communication by Councilmembers Carla Smith, Kwanza Hall and Michael Julian Bond re-appointing **Mr. David Payne** to serve as a member of the Zoning Review Board for a term of two years, retroactive to March 17, 2010.

E. PAPERS HELD IN COMMITTEE

- 10-O-0013 (1) An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Held on substitute as amended 1/13/10 at the request of the District Councilmember)**

Z-07-113

Depth: Approximately 1,010 Feet

Area: Approximately 10.32 Acres

Land Lot: 42, 14th District, Fulton County, Georgia

Owner: JWGST LLC/Joseph Wiles

Applicant: Jason Fritz

NPU-Y

Council District 1

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PAGE FOUR**

E. PAPERS HELD IN COMMITTEE (CONT'D)

10-O-0018 (2)
Z-08-73 An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the R-4 (Single Family Residential) and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, properties located at **1146 Portland Street, SE, 1152 Portland Street, SE, 1131 Glenwood Avenue, SE, 1137 Glenwood Avenue, SE 525/527 Moreland Avenue, SE, 529 Moreland Avenue, SE, 535 Moreland Avenue, SE and 537 Moreland Avenue, SE** fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. **(Substituted and held 1/13/10 at the request of the District Councilmember)**

10-O-0035 (3)
U-09-22 An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (l) (b) for property located at **3751 Martin Luther King, Jr. Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. **(Held 1/27/10 at the request of the District Councilmember)**

Depth: Varies

Area: Approximately 5.8 Acres

Land Lot: 15, 14th District, Fulton County, Georgia

Owner: Charitable Connections, Inc.

Applicant: Charitable Connections, Inc./Michelle R. Uchiyema

NPU-H

Council District 10

10-O-0031 (4)
U-09-17 An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Personal Care Home pursuant to Section 16-08.005 (1)(f) for property located at **762 Bender Street, SW**, fronting approximately 60 feet on the east side of Bender Street, at the southeast corner of Bender Street and Stephens Street. **(Held 2/24/10 at the request of the Councilmember of the District)**

Depth: Varies

Area: Approximately 0.147 Acre

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E. PAPERS HELD IN COMMITTEE (CONT'D)

Land Lot: 86, 14th District, Fulton County, Georgia
Owner: Deborah L. Turner
Applicant: Deborah L. Turner
NPU-V Council District 4

10-O-0336 (5) A **Substitute** Ordinance by Zoning Committee to rezone from
Z-10-02 the RG-2 (Residential General-Sector 2) District to the MR-3-
C (Multi-Family Residential-Conditional) District, property
located at **1017 Westview Drive, SW**, fronting approximately
328 feet on the northeasterly side of Westview Drive and
approximately 275 feet on the east side of Agnes Jones Place
and approximately 416.40 feet on the west side of Abbott
Street.
Depth: Varies
Area: 3.48 Acres
Land Lot: 116, 14th District, Fulton County, Georgia
Applicant: Rex Bray
Owner: Columbia Plaza1, LP
NPU-T Council District 4

F. ITEMS NOT ON THE AGENDA

G. ADJOURNMENT

H. LINK TO ZRB PENDING LEGISLATION
<http://citycouncil.atlantaga.gov/2010/pendingzrb.htm>

City Council
Atlanta, Georgia

10- 0 -0957

Z-10-11

Date Filed: 5-5-10

AN ORDINANCE
BY ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **300 and 306 Ponce de Leon Avenue, N.E** be changed from the C-2 (Commercial Service) district to the MRC-2 (Mixed Residential Commercial) district, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 48, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-1

LEGAL DESCRIPTION

300 Ponce de Leon Avenue

BEGINNING at the northeast corner of Ponce de Leon Avenue and Argonne (formerly Bedford Place); and running thence east along the north side of Ponce de Leon Avenue, 40 feet; thence north parallel with Argonne Avenue, 120 feet; thence west parallel with Ponce de Leon Avenue, 40 feet to Argonne Avenue; thence south along the east side of Argonne Avenue, 120 feet to the POINT OF BEGINNING.

Argonne Avenue

BEGINNING at a point on the east side of Argonne Avenue 120 feet north of the point of intersection of the north side of Ponce de Leon Avenue with the east side of Argonne Avenue, running thence north 00 degrees 04 minutes 52 second east a distance of 70 feet; running thence south 87 degrees 18 minutes 26 econds east a distance of 40.24 feet; running thence south 00 degrees 18 minutes 49 seconds west a distance of 70 feet; running thence north 87 degrees 17 minutes 31 seconds west a distance of 40 feet to the east side of Argonne Avenue and POINT OF BEGINNING.

306 Ponce de Leon Avenue

BEGINNING at an iron pin on the northerly side of Ponce de Leon Avenue, which said point is 39.48 feet easterly as measured along the northerly side of Ponce de Leon Avenue and following the curvature thereof of the point of intersection of the easterly right of way of Argonne Avenue and the northerly right of way of Ponce de Leon Avenue and from said POINT OF BEGINNING running thence along the northerly right of way of Ponce de Leon Avenue and following the curvature thereof 60.35 feet to an iron pin; running thence north 00 degrees 79 minutes 27 seconds east 182.85 feet to an iron pin on the southern right of a ten foot alley; running thence north 89 degrees 20 minutes 16 seconds west 62.01 feet to an iron pin; running thence south 00 degrees 00 minutes 56 second east 179.91 feet to an iron pin on the northern right of way of Ponce de Leon Avenue and the POINT OF BEGINNING.

City Council
Atlanta, Georgia

10- 0 -0958
Z-10-12

Date Filed: 5-11-10

AN ORDINANCE
BY ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **287 and 289 Little Street, S.E. and 288 Grant Park Place, S.E.** be changed from the R-5 (Two-Family Residential) District to the NC-7 (Existing Traditional Neighborhood) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 43, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-2

2-10-12

RECORDED
FILED
99 JAN 29 AM 10:30
JUDITH LOMAS
CLERK OF SUPERIOR COURT

Fulton County, Georgia
Real Estate Transfer Tax
Paid \$ 132.00
Date 1-29-99
JUANITA MICKS
Clerk, Superior Court
By: [Signature]
Deputy Clerk

Sam F. Maguire, Jr.
The Law Offices of Sam F. Maguire
4840 Roswell Rd., Bldg. 2, Suite 400
Atlanta, Georgia 30342
404/257-8525 Fax 404/257-9171

Return to:
THE LAW OFFICES OF SAM F. MAGUIRE
4840 ROSWELL ROAD, E400
ATLANTA, GA 30342
FILE #990138

**JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED**

STATE OF GEORGIA,
COUNTY OF FULTON

This Indenture made this 14th day of January, in the year One Thousand Nine Hundred Ninety-Nine, between WENDY N. GIVEN, of the County of FULTON, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and THOMAS L. SPANGLER and LYNN LOMAS, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 43 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SOUTH AVENUE AND HILL STREET; THENCE EXTENDING EAST ALONG THE NORTH SIDE OF SOUTH AVENUE FIFTY-THREE AND THREE-TENTHS (53.3) FEET; THENCE NORTH ONE HUNDRED TWENTY-ONE (121) FEET, MORE OR LESS, TO THE SOUTH SIDE OF LITTLE STREET; THENCE WEST ALONG THE SOUTH SIDE OF LITTLE STREET FIFTY-TWO AND NINE-TENTHS (52.9) FEET, TO THE EAST SIDE OF SAID HILL STREET; AND THENCE SOUTH ALONG THE EAST SIDE OF HILL STREET ONE HUNDRED TWENTY (120) FEET TO THE POINT OF BEGINNING; AND BEING LOT 1 AS PER PLAT AND SALE BY STEVE R. JOHNSON AUCTIONEER; BEING IMPROVED CITY PROPERTY AND KNOWN AS NO. 349-351 LITTLE STREET, ATLANTA, GEORGIA. PROPERTY NOW KNOWN AS NOS. 287-289 LITTLE STREET AND 288 GRANT PARK PLACE, S.E.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-19, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Wendy N. Given
Notary Public
My commission expires: [Signature]

Wendy N. Given (Seal)
WENDY N. GIVEN
[Signature] (Seal)
3004 26242 PALL 094 (Seal)

1977-1978 年, 44.4%

City Council
Atlanta, Georgia

10- 0 -0959
Z-10-13

Date Filed: 5-12-10

AN ORDINANCE
BY ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **333 Highland Avenue, N.E.** be changed from the C-4 (Central Area Commercial Residential) District to the C-3 (Commercial Residential) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 46, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-3

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LANDLOT 46 OF THE 14th District, FULTON COUNTY, GEORGIA CONTAINING 0.5546 ACRES BEING MORE PARTICULARLY Described AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND AVENUE (RIGHT-OF-WAY VARIES) AND THE WESTERLY RIGHT-OF-WAY LINE OF HILLARD STREET (50 FOOT RIGHT-OF-WAY); THENCE ALONG THE RIGHT-OF-WAY OF HILLARD STREET SOUTH 00 DEGREES 33 MINUTES 51 SECONDS WEST 237.99 FEET TO A CONCRETE MONUMENT FOUND; THENCE DEPARTING SAID RIGHT-OF-WAY AND ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF THE I-75/85 CONNECTOR NORTH 76 DEGREES 05 MINUTES 39 SECONDS WEST A DISTANCE OF 214.44 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 76 DEGREES 05 MINUTES 31 SECONDS WEST A DISTANCE OF 33.29 FEET TO A CONCRETE MONUMENT FOUND; THENCE DEPARTING SAID RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT AN ARC DISTANCE OF 132.78 FEET (HAVING A BEARING OF NORTH 73 DEGREES 11 MINUTES 06 SECONDS EAST, A CHORD DISTANCE OF 132.11 FEET AND A RADIUS OF 380.74 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, ARC DISTANCE OF 92.49 FEET SAID ARC (HAVING A CHORD BEARING NORTH 32 DEGREES 01 MINUTES 37 SECONDS EAST A CHORD DISTANCE OF 87.99 FEET AND A RADIUS OF 85 FEET) TO A CONCRETE MONUMENT FOUND; THENCE NORTH 00 DEGREES 35 MINUTES 10 SECONDS EAST A DISTANCE OF 66.34 FEET TO A CONCRETE MONUMENT FOUND ON THE SOUTHERLY RIGHT OF WAY OF NORTH HIGHLAND AVENUE; THENCE SOUTH 89 DEGREES 24 MINUTES 39 SECONDS EAST 69.01 FEET TO A CONCRETE MONUMENT FOUND AND THE POINT OF BEGINNING.

2-10-013

RECEIVED

JAN 11 1990

Office of
Planning

10-0 -0960

U-10-18

AN ORDINANCE

BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-06.005 (1)(b) for of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **DAYCARE CENTER** is hereby granted. Said use is granted to **ARLETHEA MARIE SCRIVENS-AGHAJI** and is to be located at **3297 FAIRBURN ROAD, S.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 35, 14th ff District Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Legal Description

SPECIAL WARRANTY DEED (Continued)

U-10 018

Exhibit "A"

All that tract or parcel of land lying and being in Land Lots 36 and 38 of the 14th EF (formerly Fayette) District Fulton, County, Georgia, and being more particularly described as follows: commencing at the Northeast intersection of Landings North Drive and Fairburn Road, and proceeding thence along the Northwest right of way of Fairburn Road (a variable width right of way) a distance of 119.0 feet to a ½ inch rebar and the point of beginning; proceeding thence North 16 degrees 51 minutes 25 seconds West 218.27 feet to a ½ inch rebar; proceeding thence North 73 degrees 32 minutes 36 seconds East 93.00 feet to a ½ inch rebar; thence South 17 degrees 21 minutes 58 seconds East 220.48 feet to an iron pin set on the Northwest right of way of Fairburn Road South 74 degrees 51 minutes 36 seconds West 95.00 feet to the point of beginning. All according to a plat of survey for Cassandra Bias by Scaton G. Shepherd, Jr., GA R.L.S. No. 2136, dated October 12, 2006.

Reference: 3297 Fairburn Road SW, Atlanta, GA 30331
Servicer Loan Number: 0145798385

Docd_GA_WarrantyDeed_Special_Typ_Newsde
HW - DS / 3.19.2008 LD rev. 5.21.2009

GAR-091102194A
11/1/09 @ 01:41:55A

10-0 -0961
U-10-19

AN ORDINANCE
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-35.007 (1)(c) for of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **DAYCARE CENTER** is hereby granted. Said use is granted to **WILLIAM H. PALMER, SR.** and is to be located at **2392 DONALD LEE HOLLOWELL PARKWAY, N.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 177, 14th District Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-5

Legal Description
For, Mother Hubbard's Daycare Center & Kindergarteh, LLC

All that tract or parcel of land lying and being in Land Lot, 177 of the 14th District, 2nd Section, Fulton County, Georgia and being more particularly described as follows:

Commencing at the point of beginning at the intersection of the Southerly Right of Way of Donald Lee Hollowell Parkway (50' R\W) and the Westerly Right of Way of Grand Avenue (30' R/W).

From POINT OF BEGINNING following said Westerly right of Way Grand Avenue and running South 11°52'36" West, 69.16 feet to a point; thence, 50.74 feet along the arc of a curve, deflecting to the right having a radius of 85.00 feet and a chord bearing and distance of South 28°58'42" West, 49.99 feet to a point; thence, South 46°04'19" West, 54.49 feet to a point; thence, 171.04 feet along the arc of a curve, deflecting to the left, having a radius of 215.00 feet and a chord bearing and distance of North 23°17'24" East, 166.56 feet to a point; thence, South 00°30'00" West, 118.11 feet to a point; thence, along a shared property line, North 89°30'00" West, 151.40 feet to a point; thence, North 00°30'00" East, 11.50 feet to a point; thence, North 89°30'00" West, 75.32 feet to a point; thence, North 00°51'33" East, 184.50 feet to a point; thence, South 67°46'31" West, 81.00 feet to a point; thence, North 00°51'33" East to a point on the Southerly Right of Way of Donald Lee Hollowell Parkway; thence along said Right of Way North 67°46'31" East, 131.79 feet to a point; thence, 227.43 feet along the arc of a curve, deflecting to the right having a radius of 425.00 feet and a chord bearing and distance of North 83°06'20" East, 224.73 feet to a point; thence, South 81°33'51" East, 96.50 feet to the POINT OF BEGINNING.

Containing approximately 130,397 square feet or 2.9935 acres of land more or less.
Property is subject to all easements and rights of way, recorded and unrecorded.

10- 0 -0962

U-10-20

AN ORDINANCE

BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-06.005 (1)(c) for of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **CHURCH** is hereby granted. Said use is granted to **WILLIE W. WILLIAMS** and is to be located at **3267 AND 3309 JONESBORO ROAD, S.E.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 34 and 35, 14th District Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-6

U-10-020

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 34 and 35 of the 14TH District of Fulton County, Georgia and being more particularly described as follows;

A Point Of Beginning(P.O.R.) being located at the intersection of the west Right Of Way line of State Hwy. 54 (a.k.a. Jonesboro Road—80' R/W) with the north Right of Way line of Macedonia Road (50' R/W). Running thence in a northern direction along the west Right Of Way line of State Hwy 54 for a distance of 132.60' to a point. Said point also being known as the Point Of Beginning(P.O.B.).

Point Of Beginning(P.O.B.) thus established;

running thence S 82°-27'-26" W for a distance of 76.99' to a point;
running thence N 03°-32'-46" E for a distance of 50.00' to a point;
running thence S 84°-29'-02" W for a distance of 172.96' to a point;
running thence S 85°-23'-37" W for a distance of 100.00' to a point;
running thence N 03°-01'-57" E for a distance of 141.46' to a point;
running thence N 04°-37'-30" E for a distance of 169.73' to a point;
running thence S 85°-16'-30" E for a distance of 129.40' to a point;
running thence N 02°-50'-50" E for a distance of 210.00' to a point;
running thence S 88°-46'-40" E for a distance of 210.00' to a point;
running thence along the west Right Of Way line of State Hwy. 54,
along the arc of a curve to the left, said curve having a radius of 1922.55'
and an arc distance of 210.10', with a chord bearing of S 02°-50'-48" W
and a chord distance of 210.00' to a point;
running thence along the west Right Of Way line of State Hwy. 54,
along the arc of a curve to the left, said curve having a radius of 3859.72'
and an arc distance of 298.04', with a chord bearing of S 00°-44'-32" E
and a chord distance of 297.97' to a the Point Of Beginning(P.O.B.).

Said Parcel containing 3.291 Acres(143,356 S.F.), more or less, and being as shown
On a Composite Drawing for JEDIDIAH BAPTIST CHURCH by
HURD-PRINCE & ASSOCIATES, INC. dated October 28, 2009 and signed
By Walter F. Prince, Ga. Land Surveyor # 2808.



MU10-C-0913
CLERK
2010 MAY -7 AM 9:01

ATLANTA CITY COUNCIL

CARLA SMITH
COUNCILMEMBER
DISTRICT ONE

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
ATLANTA, GEORGIA 30303
(404) 330-6039

May 3, 2010

Honorable Ceasar Mitchell
President, Atlanta City Council
55 Trinity Avenue, SW
Atlanta, Georgia 30303

Dear President Mitchell;

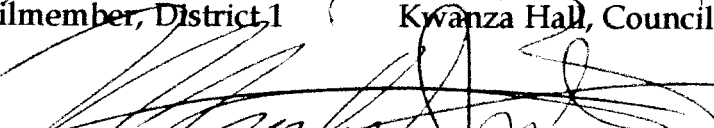
Councilmembers Kwanza Hall, District 2, Michael Bond, Post 1 - At Large, and I are pleased to resubmit David Payne for appointment to the Zoning Review Board.

David Payne has served well over the past 6 years in this capacity and as Board Chairman. He has maintained perfect attendance and is interested in being reappointed for a final term retroactive as of March 17, 2010-March 17, 2012. As you know David has served the city in many leadership roles for more than 20 years. We are certain that you will agree to this reappointment. His Professional Profile is attached for review.

Sincerely,


Carla Smith, Councilmember, District 1


Kwanza Hall, Councilmember, District 2


Michael Bond, Councilmember, Post 1 - At Large

City Council
Atlanta, Georgia

10-0-0013

A SUBSTITUTE ORDINANCE
BY:

Z-07-113

Date Filed: 11-9-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **460 Englewood Avenue, S. E.**, changed from the I-1-C (Light Industrial-Conditional) District to the MR4A-C (Multi-Family Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 42, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

COMMITTEE AMENDMENT FORM

DATE: 04/29/09

COMMITTEE ZONING PAGE NUM. (S)
ORDINANCE I. D. #07-O-2527 SECTION (S)
RESOLUTION I. D. #09-R- PARA.

AMENDS THE LEGISLATION BY INSERTING A NEW LEGAL DESCRIPTION.

AMENDMENT DONE BY COUNCIL STAFF 4/29/09

**LEGAL DESCRIPTION
TRACT 3**



ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 42 of the 14th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from an iron pin found at the intersection of the easterly right-of-way line of Mailing Avenue (60' R/W) with the northerly right-of-way line of Englewood Avenue (60' R/W); thence along said right-of-way line of Englewood Avenue South 89 degrees 03 minutes 56 seconds East a distance of 131.96 feet to an iron pin found; thence South 88 degrees 55 minutes 26 seconds East a distance of 178.05 feet to a point; thence South 89 degrees 02 minutes 28 seconds East a distance of 200.50 feet to an iron pin found (3/4" Re-Rod) and the TRUE POINT OF BEGINNING, from the TRUE POINT OF BEGINNING as thus established, thence leaving said right-of-way line North 02 degrees 39 minutes 40 seconds East a distance of 81.50 feet to a point; thence North 02 degrees 39 minutes 40 seconds East a distance of 71.10 feet; thence North 02 degrees 39 minutes 40 seconds East a distance of 277.40 feet to an iron pin set; thence North 02 degrees 39 minutes 40 seconds East a distance of 30.00 feet to a point; thence North 00 degrees 51 minutes 10 seconds East a distance of 332.00 feet to an Iron Pin Set; thence North 00 degrees 51 minutes 10 seconds East a distance of 100.00 feet to a point on the southerly right-of-way line of Atlanta West Point Railroad (Variable R/W); thence along said right-of-way North 70 degrees 03 minutes 40 seconds East a distance of 78.30 feet to a point; thence North 69 degrees 25 minutes 10 seconds East a distance of 243.50 feet to a point; thence leaving said right-of-way line South 00 degrees 51 minutes 10 seconds West a distance of 550.00 feet to an Iron Pin Set; thence South 02 degrees 39 minutes 40 seconds West a distance of 460.00 feet to an Iron Pin Set on the northerly right-of-way line of Englewood Avenue; thence along said right-of-way line North 88 degrees 54 minutes 46 seconds West a distance of 299.86 feet to an Iron Pin Found (3/4" Re-Rod) and the TRUE POINT OF BEGINNING.

Said tract containing 6.540 acres.

CONDITIONS FOR Z-07-113 for 460 Englewood Avenue, S.E.

1. Building Façade Materials and Treatments:

- a. All exterior building facades excluding interior courtyards shall be composed of a minimum of 35% masonry. For the purpose of these conditions, "masonry" is defined as "mineral-based building materials such as terracotta, mortar, stone, and brick."
- b. The following materials shall be prohibited on all building facades: exposed pressure-treated wood; vinyl siding; vinyl railing; white, cream, or off-white solid vinyl windows; and exterior insulation finished systems (EIFS). Solid vinyl windows in other colors are permitted. Cementitious siding and panels are permitted.
- c. Foundations shall be faced in masonry. Foundations may be faced in two-coat or three-coat hard stucco if carried from the façade directly above. For the purpose of this Condition, "foundation" is defined as the surface area of the building facade below the lowest finished floor level.
- d. Exterior columns shall have a minimum width of 5 ½ inches.
- e. No exterior stairs shall be constructed of wood.
- f. Stoops shall be a minimum of four feet wide.
- g. Steps that serve porches and stoops shall have closed risers and ends.

2. Balconies:

- a. 60% of all balconies facing Englewood Avenue, Boulevard Crossing Park (east side of the building) and the west and north property lines shall have a minimum depth of five feet.
- b. Railings shall consist of painted wood, ornamental metal or glass.

3. Residential Windows:

- a. 50% of the residential window units shall be operable.
- b. All windows shall include windowpanes that are recessed a minimum of two inches from the façade in which they are installed.
- c. Paired windows that are grouped together shall have center mullions that are two inches wider than the side trim.
- d. Flat, "snap-in" muntins, and muntins that are sandwiched between layers of glass are prohibited.

4. Roofs:

- a. Shall overhang by a minimum of 2 feet over the building façade; or
- b. Shall have parapet walls screening the roof from view from the adjacent streets and west and north property lines.

5. Awnings and Canopies:

- a. All awnings and canopies shall be made of cloth, canvas or metal. The shape of the upper surface of any awnings shall match the shape of the opening in front of which they would be attached.
- b. Internally lit awnings and canopies are prohibited. Any illumination that is provided in conjunction with the awning or canopy shall be directed downwards, not upwards towards the underside of the awning or canopy.

6. Floor to Ceiling Height: The first floor of all designated street-level live/work units shall have a minimum stud height of 12 feet measured floor to ceiling, and any commercial space shall have a minimum 15 feet measured floor to ceiling.

7. Maximum Building Height: In order to provide adequate air and light to the future green space located immediately to the east of this site, the building height shall not exceed 60 feet within 45 feet of the eastern property line.

8. Trail Easement: The property owner has voluntarily agreed to convey an easement to the City of Atlanta encompassing the northwest corner of the property. The area of the easement will be consistent with the area illustrated on the attached map entitled "Exhibit Map 1 (4/6/2009)." Within this area, the City will have the right to design, build, and maintain for public use a multi-use trail that measures up to 16' in width, with landscaped areas on both sides. The easement shall be conveyed to the City of Atlanta prior to the issuance of a BeltLine SAP. The area may be counted toward UOSR or public space requirements.

9. Connection to Park: Development shall provide pedestrian connection, as proposed by the owner, to the "Future Park Road" to the east of the property in the location indicated on the site plan dated 10/27/07 and stamped received by the Bureau of Planning on 4/21/08. .

Development shall provide a fully publicly accessible pedestrian way between the "new street" described below and the park to the east. Any buildings to the north or south of the pedestrian way will have a minimum building separation of 30 feet as measured north-south. Pedestrian way and area of building separation will be located in the approximate area indicated on "Exhibit Map 1 (4/6/2009)."

10. New Street: Development access shall be provided from a publicly accessible street built consistent with the street standards outlined in the Section 16-35 and the adopted BeltLine Street Framework Plan where the "private drive" is indicated on the site plan dated 10/27/07 and stamped received by the Bureau of Planning on 4/21/08. Any development will conform to the standards for public street frontage and improvements along the new publicly accessible street. Upon the occurrence of the first of the following:

- (1) An issuance of a Special Administrative Permit (SAP) for one of the adjacent parcels located at 430 Englewood Avenue or 1160 Mailing Avenue or;
- (2) The rezoning for one of the adjacent parcels located at 430 Englewood Avenue or 1160 Mailing Avenue,

the applicant shall provide a fully publicly accessible 24-foot wide street connection to the "Future Connection" as indicated on the site plan dated 10/27/07 and stamped received by the Bureau of Planning on 4/21/08. The actual location of the Future Connection to Mailing Avenue may vary slightly in response to future submitted site plans.

11. Relationship of Building to the Street: Development frontage along Englewood and the "New Street" described above shall conform to the standards for frontage along a Collector as described in section 16-35.014.
12. Any application for a Special Administrative Permit and any other request for an administrative variance to the zoning regulations submitted to the City of Atlanta shall be submitted to NPU Y at the same time it is submitted to the City of Atlanta.

City Council
Atlanta, Georgia

07-0-2527

AN ORDINANCE
BY: ZONING COMMITTEE

Z-07-113
Date Filed: 11-9-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **430 and 460 Englewood Avenue, S. E.**, changed from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 42, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

RCS# 1616
12/03/07
3:50 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 07-O-2526, ~~02527~~, 2528, 2529, 2530, 2531, 2532
 07-O-2533, 2534, 2535, 2536
 REFER ZRB/ZONE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	B Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	E Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

ZONING REVIEW BOARD
DEFERRED

ON 1-3-08
UNTIL 3-08

Martha Post Hall 1-3-08
CHAIRMAN Date

ZONING REVIEW BOARD
DEFERRED

ON 3-13-08
UNTIL 3-08

Martha Post Hall 3-13-08
CHAIRMAN Date

ZONING REVIEW BOARD
DEFERRED

ON 5-1-08
UNTIL 6-08

Martha Post Hall 5-1-08
CHAIRMAN Date

ZONING REVIEW BOARD
DEFERRED

ON 6-5-08
UNTIL 3-08

Martha Post Hall 6-5-08
CHAIRMAN

ZONING REVIEW BOARD
DEFERRED

ON 08/07/08
UNTIL 01/30/09

Martha Post Hall 8/7/08
CHAIRMAN Date

DEPARTMENTAL AUTHORIZATION

ZONING REVIEW BOARD
DEFERRED

ON 1/15/08
UNTIL 4/30/09

Martha Post Hall 1/15/08
CHAIRMAN Date

ZONING REVIEW BOARD
FAVORABLE CONDITIONAL

Martha Post Hall - JC - ZRB
CHAIRMAN Date 7/9/09 action

07-0-2527

(Do Not Write Above This Line)

AN ORDINANCE Z-07-113
BY: ZONING COMMITTEE

An ordinance to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at 430 and 460 Englewood Avenue, S. E., fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. Depth: approximately 1,010 feet. Area: approximately 10.32 acres. Land Lot 42, 14th District, Fulton County, Georgia.
OWNER: JWGST LLC/JOSEPH WILES
APPLICANT: JASON FRITZ
NPU-Y COUNCIL DISTRICT 1

- ☐ CONSENT REFER
☒ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 12/03/07

Referred To: 28821 SUMMA

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Zoning
Date 04/29/08
Chair
Referred To 28821 SUMMA

Committee Zoning
Date 04/29/08
Chair
Action Fav, Adv, Hold (see rev. side)
Other City Subdiv. Note AS
Members

Refer To

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side)
Other Members

Refer To

Committee Zoning

Date

Chair

Action Fav, Adv, Hold (see rev. side)
Other Members

Refer To

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side)
Other Members

Refer To

CERTIFIED

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

MAYOR'S ACTION

City Council
Atlanta, Georgia

10-0-0018

A SUBSTITUTE ORDINANCE
BY:

Z-08-73
Date Filed: 9-17-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1146 Portland Street, S.E., 1152 Portland Street, S.E. 1131 Glenwood Avenue, S.E., 1137 Glenwood Avenue, S.E.**, be changed from the R-4 (Single Family Residential) District to the MR-2-C (Multifamily Residential) District/ Beltline Overlay District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 12, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

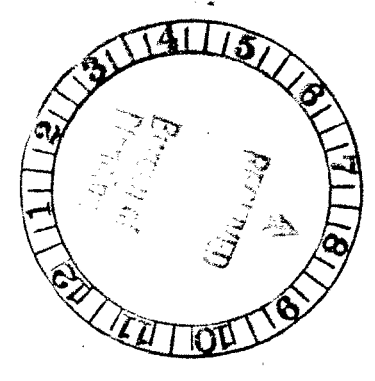
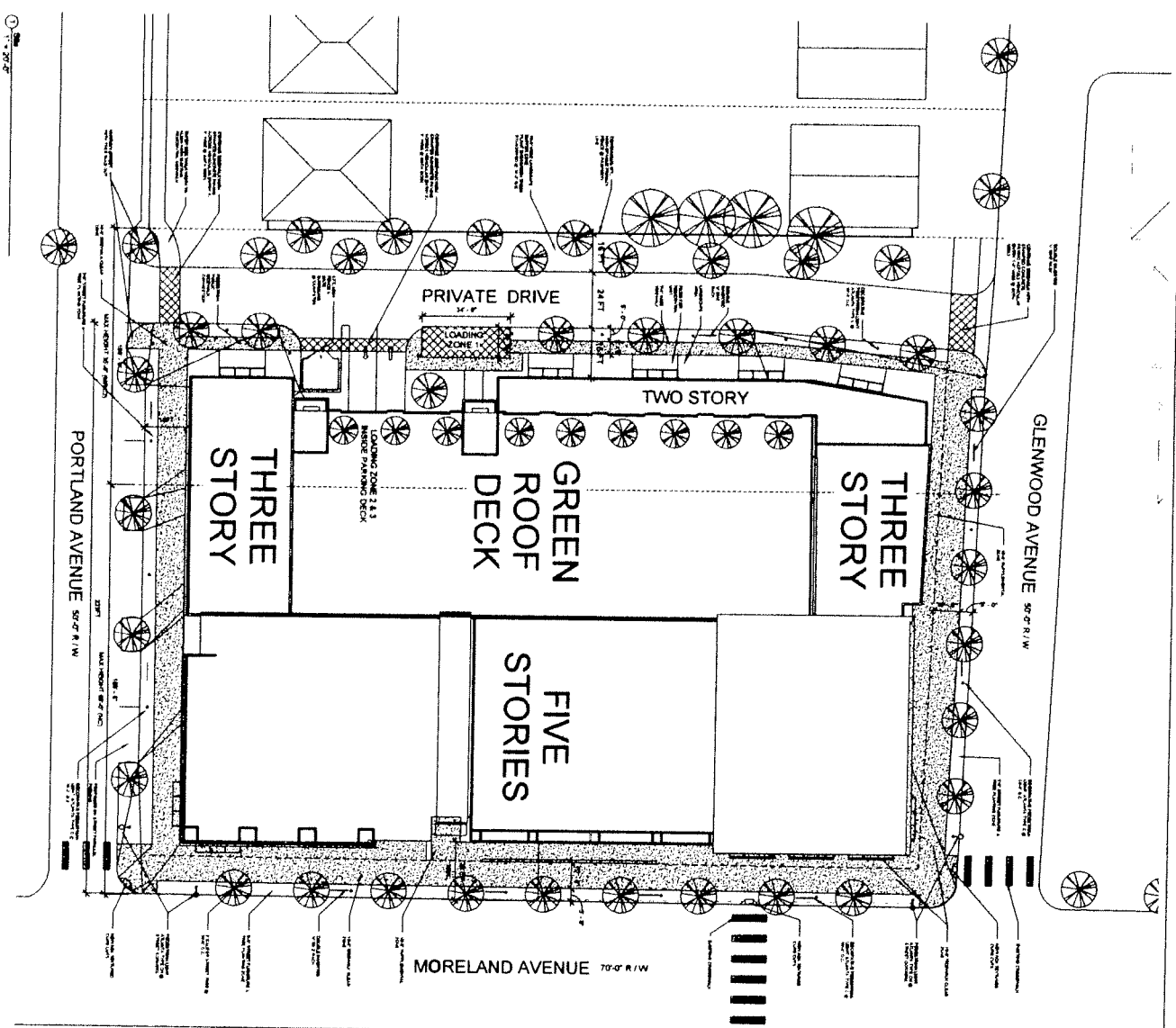
Conditions for Z-08-73
for
1146 and 1152 Portland Street, S.E and 1131 and 1137 Glenwood Avenue, S.E.

Note: The four parcels referenced above are part of a larger development that is reflected on the site plans. Only the four parcels referenced above are a part of the rezoning request. The request is for the parcels that are currently zoned R-4 (Single family Residential) to be rezoned to MR-2-C.

- 1) Site Plan and Building Elevations: A site plan and building elevations labeled "525 Moreland Avenue" similar to the plans prepared by Rutledge Alcock Architects, LLC dated April 16, 2009 and stamped "received" by the Bureau of Planning on May 7, 2009. These plans are conceptual and are not intended to prohibit application of the MR-2, NC-2, or Beltline Overlay District regulations.
2. Bicycle Parking: A minimum of twenty-five percent (25%) of the bicycle parking spaces mandated by the Beltline Overlay district shall be located within the parking structure or building.
3. Parking Structure: On the roof of the enclosed parking structure on the western side, there shall be the following:
 - a) A planter no less than five feet (5') in width and no less than forty two inches (42") in height; and,
 - b) This planter shall contain ornamental trees and evergreens which shall have the effect of blocking the view to the west from the roof of the parking structure.
4. Building Facade Materials and Treatments:
 - a) All exterior building facades below twenty-four (24) feet in height shall be composed of masonry defined as "mineral-based building materials such as terracotta, mortar, stone, and brick."
 - b) The following materials shall be prohibited on all building facades: exposed pressure-treated wood; vinyl siding; vinyl railing; vinyl windows; and exterior insulation finished systems ("EIFS").
 - c) Window frames shall be recessed a minimum of two (2) inches from the adjoining plane.
 - d) All Window mullions and divisions to be assembled in the sash using muttons (i.e., in "true divided light" fashion).
 - e) No exterior stairs shall be constructed of wood.
 - f) Any satellite dishes, telecommunications equipment, mechanical equipment, HVAC equipment, or similar items shall not be visible from any public or private street.
 - g) Dumpsters and loading areas shall be screened so as not to be visible from any adjacent public or private street that is located at the same elevation as the dumpster or loading area with architecturally decorative fencing, landscape material, or hidden inside parking structure.
5. Workforce Housing: Five percent (5%) of the residential units for lease in this structure shall be dedicated to persons or households whose incomes do not exceed eighty percent (80%) of the area

median income (AMI) as established annually by the U. S. Department of Housing and Urban Development for the metropolitan area that includes the city of Atlanta.

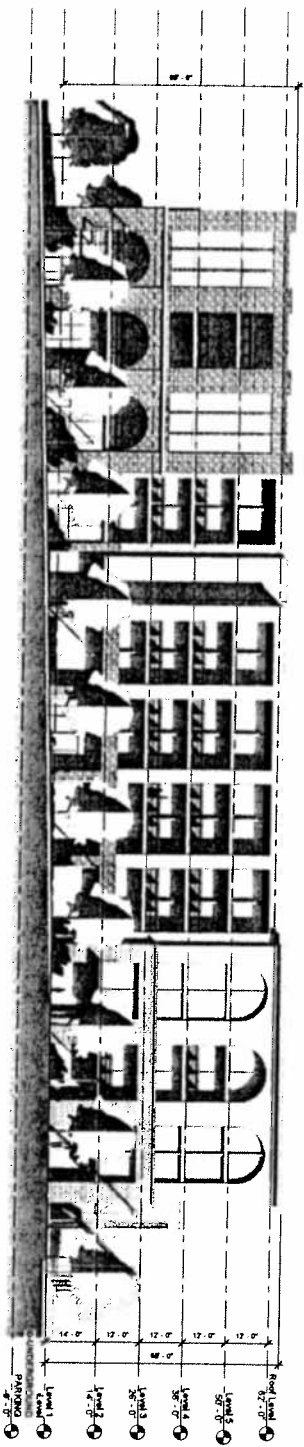
6. Greenbuilding: The development will attain either a LEED certification from the U. S. Green Building Council or an EarthCraft House Multifamily Program certification from Southface Energy Institute. Evidence of such certification shall be submitted to the Bureau of Planning prior to issuance of the Certificate of Occupancy.
7. The applicant or developer shall submit a copy of any application for a Special Administrative Permit or any request for variations from the zoning regulations to the NPU W Zoning Contact at the same time the application is submitted to the City of Atlanta Bureau of Planning. Evidence of this submission must be provided to the Director of the Bureau of Planning.



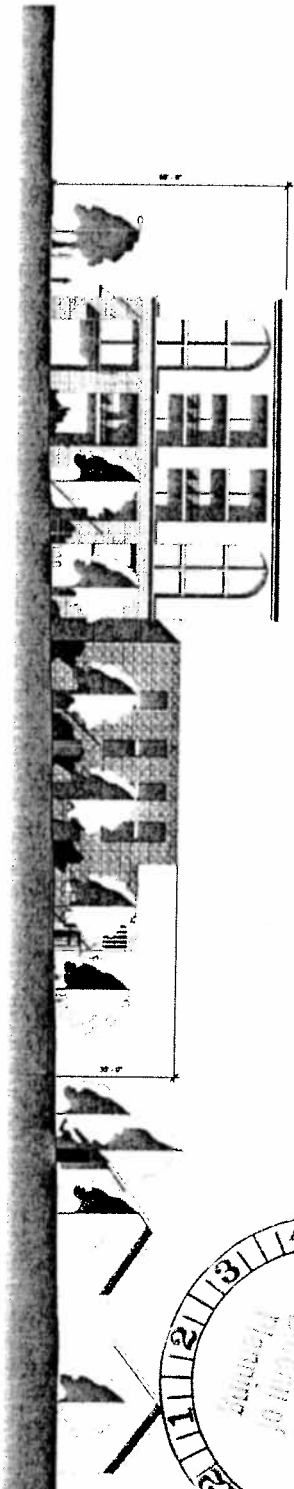
525 MORELAND AVENUE
CONCRETE IN CONCRETE

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CONCRETE	100	CU YD	120.00	12000.00
2	REINFORCING	500	LB	0.40	200.00
3	FORMWORK	200	SQ YD	10.00	2000.00
4	PAINT	100	GA	1.00	100.00
5	LABOR	100	HR	15.00	1500.00
6	PERMITS	1	LOT	500.00	500.00
7	INSURANCE	1	LOT	100.00	100.00
8	DESIGN	1	LOT	200.00	200.00
9	CONCRETE	200	CU YD	120.00	24000.00
10	REINFORCING	1000	LB	0.40	400.00
11	FORMWORK	400	SQ YD	10.00	4000.00
12	PAINT	200	GA	1.00	200.00
13	LABOR	200	HR	15.00	3000.00
14	PERMITS	1	LOT	500.00	500.00
15	INSURANCE	1	LOT	100.00	100.00
16	DESIGN	1	LOT	200.00	200.00
17	CONCRETE	300	CU YD	120.00	36000.00
18	REINFORCING	1500	LB	0.40	600.00
19	FORMWORK	600	SQ YD	10.00	6000.00
20	PAINT	300	GA	1.00	300.00
21	LABOR	300	HR	15.00	4500.00
22	PERMITS	1	LOT	500.00	500.00
23	INSURANCE	1	LOT	100.00	100.00
24	DESIGN	1	LOT	200.00	200.00
25	CONCRETE	400	CU YD	120.00	48000.00
26	REINFORCING	2000	LB	0.40	800.00
27	FORMWORK	800	SQ YD	10.00	8000.00
28	PAINT	400	GA	1.00	400.00
29	LABOR	400	HR	15.00	6000.00
30	PERMITS	1	LOT	500.00	500.00
31	INSURANCE	1	LOT	100.00	100.00
32	DESIGN	1	LOT	200.00	200.00
33	CONCRETE	500	CU YD	120.00	60000.00
34	REINFORCING	2500	LB	0.40	1000.00
35	FORMWORK	1000	SQ YD	10.00	10000.00
36	PAINT	500	GA	1.00	500.00
37	LABOR	500	HR	15.00	7500.00
38	PERMITS	1	LOT	500.00	500.00
39	INSURANCE	1	LOT	100.00	100.00
40	DESIGN	1	LOT	200.00	200.00
41	CONCRETE	600	CU YD	120.00	72000.00
42	REINFORCING	3000	LB	0.40	1200.00
43	FORMWORK	1200	SQ YD	10.00	12000.00
44	PAINT	600	GA	1.00	600.00
45	LABOR	600	HR	15.00	9000.00
46	PERMITS	1	LOT	500.00	500.00
47	INSURANCE	1	LOT	100.00	100.00
48	DESIGN	1	LOT	200.00	200.00
49	CONCRETE	700	CU YD	120.00	84000.00
50	REINFORCING	3500	LB	0.40	1400.00
51	FORMWORK	1400	SQ YD	10.00	14000.00
52	PAINT	700	GA	1.00	700.00
53	LABOR	700	HR	15.00	10500.00
54	PERMITS	1	LOT	500.00	500.00
55	INSURANCE	1	LOT	100.00	100.00
56	DESIGN	1	LOT	200.00	200.00
57	CONCRETE	800	CU YD	120.00	96000.00
58	REINFORCING	4000	LB	0.40	1600.00
59	FORMWORK	1600	SQ YD	10.00	16000.00
60	PAINT	800	GA	1.00	800.00
61	LABOR	800	HR	15.00	12000.00
62	PERMITS	1	LOT	500.00	500.00
63	INSURANCE	1	LOT	100.00	100.00
64	DESIGN	1	LOT	200.00	200.00
65	CONCRETE	900	CU YD	120.00	108000.00
66	REINFORCING	4500	LB	0.40	1800.00
67	FORMWORK	1800	SQ YD	10.00	18000.00
68	PAINT	900	GA	1.00	900.00
69	LABOR	900	HR	15.00	13500.00
70	PERMITS	1	LOT	500.00	500.00
71	INSURANCE	1	LOT	100.00	100.00
72	DESIGN	1	LOT	200.00	200.00
73	CONCRETE	1000	CU YD	120.00	120000.00
74	REINFORCING	5000	LB	0.40	2000.00
75	FORMWORK	2000	SQ YD	10.00	20000.00
76	PAINT	1000	GA	1.00	1000.00
77	LABOR	1000	HR	15.00	15000.00
78	PERMITS	1	LOT	500.00	500.00
79	INSURANCE	1	LOT	100.00	100.00
80	DESIGN	1	LOT	200.00	200.00
81	CONCRETE	1100	CU YD	120.00	132000.00
82	REINFORCING	5500	LB	0.40	2200.00
83	FORMWORK	2200	SQ YD	10.00	22000.00
84	PAINT	1100	GA	1.00	1100.00
85	LABOR	1100	HR	15.00	16500.00
86	PERMITS	1	LOT	500.00	500.00
87	INSURANCE	1	LOT	100.00	100.00
88	DESIGN	1	LOT	200.00	200.00
89	CONCRETE	1200	CU YD	120.00	144000.00
90	REINFORCING	6000	LB	0.40	2400.00
91	FORMWORK	2400	SQ YD	10.00	24000.00
92	PAINT	1200	GA	1.00	1200.00
93	LABOR	1200	HR	15.00	18000.00
94	PERMITS	1	LOT	500.00	500.00
95	INSURANCE	1	LOT	100.00	100.00
96	DESIGN	1	LOT	200.00	200.00
97	CONCRETE	1300	CU YD	120.00	156000.00
98	REINFORCING	6500	LB	0.40	2600.00
99	FORMWORK	2600	SQ YD	10.00	26000.00
100	PAINT	1300	GA	1.00	1300.00
101	LABOR	1300	HR	15.00	19500.00
102	PERMITS	1	LOT	500.00	500.00
103	INSURANCE	1	LOT	100.00	100.00
104	DESIGN	1	LOT	200.00	200.00
105	CONCRETE	1400	CU YD	120.00	168000.00
106	REINFORCING	7000	LB	0.40	2800.00
107	FORMWORK	2800	SQ YD	10.00	28000.00
108	PAINT	1400	GA	1.00	1400.00
109	LABOR	1400	HR	15.00	21000.00
110	PERMITS	1	LOT	500.00	500.00
111	INSURANCE	1	LOT	100.00	100.00
112	DESIGN	1	LOT	200.00	200.00
113	CONCRETE	1500	CU YD	120.00	180000.00
114	REINFORCING	7500	LB	0.40	3000.00
115	FORMWORK	3000	SQ YD	10.00	30000.00
116	PAINT	1500	GA	1.00	1500.00
117	LABOR	1500	HR	15.00	22500.00
118	PERMITS	1	LOT	500.00	500.00
119	INSURANCE	1	LOT	100.00	100.00
120	DESIGN	1	LOT	200.00	200.00
121	CONCRETE	1600	CU YD	120.00	192000.00
122	REINFORCING	8000	LB	0.40	3200.00
123	FORMWORK	3200	SQ YD	10.00	32000.00
124	PAINT	1600	GA	1.00	1600.00
125	LABOR	1600	HR	15.00	24000.00
126	PERMITS	1	LOT	500.00	500.00
127	INSURANCE	1	LOT	100.00	100.00
128	DESIGN	1	LOT	200.00	200.00
129	CONCRETE	1700	CU YD	120.00	204000.00
130	REINFORCING	8500	LB	0.40	3400.00
131	FORMWORK	3400	SQ YD	10.00	34000.00
132	PAINT	1700	GA	1.00	1700.00
133	LABOR	1700	HR	15.00	25500.00
134	PERMITS	1	LOT	500.00	500.00
135	INSURANCE	1	LOT	100.00	100.00
136	DESIGN	1	LOT	200.00	200.00
137	CONCRETE	1800	CU YD	120.00	216000.00
138	REINFORCING	9000	LB	0.40	3600.00
139	FORMWORK	3600	SQ YD	10.00	36000.00
140	PAINT	1800	GA	1.00	1800.00
141	LABOR	1800	HR	15.00	27000.00
142	PERMITS	1	LOT	500.00	500.00
143	INSURANCE	1	LOT	100.00	100.00
144	DESIGN	1	LOT	200.00	200.00
145	CONCRETE	1900	CU YD	120.00	228000.00
146	REINFORCING	9500	LB	0.40	3800.00
147	FORMWORK	3800	SQ YD	10.00	38000.00
148	PAINT	1900	GA	1.00	1900.00
149	LABOR	1900	HR	15.00	28500.00
150	PERMITS	1	LOT	500.00	500.00
151	INSURANCE	1	LOT	100.00	100.00
152	DESIGN	1	LOT	200.00	200.00
153	CONCRETE	2000	CU YD	120.00	240000.00
154	REINFORCING	10000	LB	0.40	4000.00
155	FORMWORK	4000	SQ YD	10.00	40000.00
156	PAINT	2000	GA	1.00	2000.00
157	LABOR	2000	HR	15.00	30000.00
158	PERMITS	1	LOT	500.00	500.00
159	INSURANCE	1	LOT	100.00	100.00
160	DESIGN	1	LOT	200.00	200.00
161	CONCRETE	2100	CU YD	120.00	252000.00
162	REINFORCING	10500	LB	0.40	4200.00
163	FORMWORK	4200	SQ YD	10.00	42000.00
164	PAINT	2100	GA	1.00	2100.00
165	LABOR	2100	HR	15.00	31500.00
166	PERMITS	1	LOT	500.00	500.00
167	INSURANCE	1	LOT	100.00	100.00
168	DESIGN	1	LOT	200.00	200.00
169	CONCRETE	2200	CU YD	120.00	264000.00
170	REINFORCING	11000	LB	0.40	4400.00
171	FORMWORK	4400	SQ YD	10.00	44000.00
172	PAINT	2200	GA	1.00	2200.00
173	LABOR	2200	HR	15.00	33000.00
174	PERMITS	1	LOT	500.00	500.00
175	INSURANCE	1	LOT	100.00	100.00
176	DESIGN	1	LOT	200.00	200.00
177	CONCRETE	2300	CU YD	120.00	276000.00
178	REINFORCING	11500	LB	0.40	4600.00
179	FORMWORK	4600	SQ YD	10.00	46000.00
180	PAINT	2300	GA	1.00	2300.00
181	LABOR	2300	HR	15.00	34500.00
182	PERMITS	1	LOT	500.00	500.00
183	INSURANCE	1	LOT	100.00	100.00
184	DESIGN	1	LOT	200.00	200.00
185	CONCRETE	2400	CU YD	120.00	288000.00
186	REINFORCING	12000	LB	0.40	4800.00
187	FORMWORK	4800	SQ YD	10.00	48000.00
188	PAINT	2400	GA	1.00	2400.00
189	LABOR	2400	HR	15.00	36000.00
190	PERMITS	1	LOT	500.00	500.00
191	INSURANCE	1	LOT	100.00	100.00
192	DESIGN	1	LOT	200.00	200.00
193	CONCRETE	2500	CU YD	120.00	300000.00
194	REINFORCING	12500	LB	0.40	5000.00
195	FORMWORK	5000	SQ YD	10.00	50000.00
196	PAINT	2500	GA	1.00	2500.00
197	LABOR	2500	HR	15.00	37500.00
198	PERMITS	1	LOT	500.00	500.00
199	INSURANCE	1	LOT	100.00	100.00
200	DESIGN	1	LOT	200.00	200.00

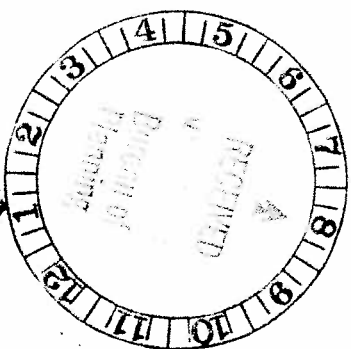
rutledgealcock 619 east college avenue, suite d1 30301, g a 404 214 5797		project 525 MORELAND AVENUE	sheet name SITE PLAN	date APRIL 18, 2009 209000 APPLICATION	project number Z101
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① FRONT ELEVATION
1/8" = 1'-0"

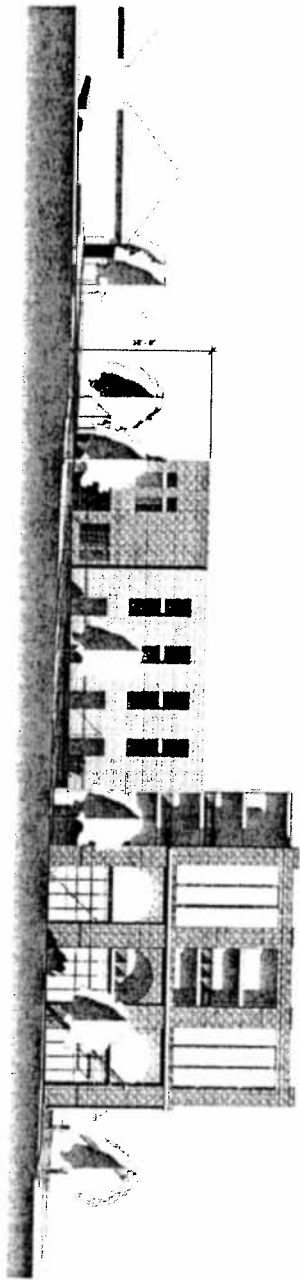


② SIDE ELEVATION
1/8" = 1'-0"

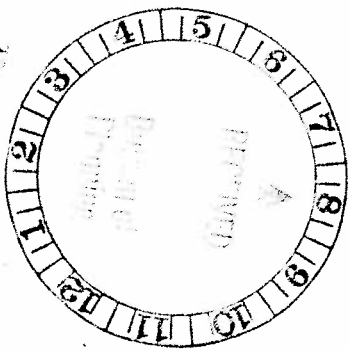
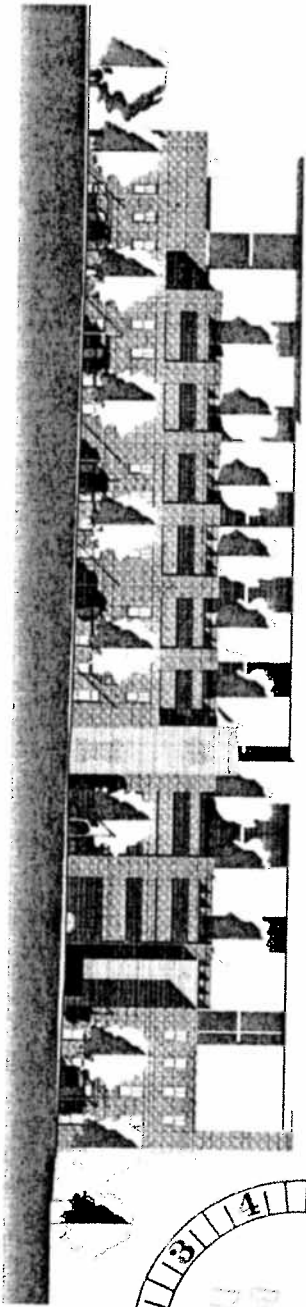


619 east college moreland avenue 30308 ph: 404 214 5797		ruledgealcock 619 east college moreland avenue 30308 ph: 404 214 5797	project number: 525 MORELAND AVENUE	project: 525 MORELAND AVENUE	APRIL 16, 2009 ZONING APPLICATION	sheet name: EXTERIOR ELEVATIONS	dwg number: Z301
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① NORTH AND ELEVATION



② REAR ELEVATION



Project number:

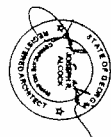
525 MORELAND AVENUE

project:
APRIL 14, 2009
ZONING
APPLICATION

SHEET NAME:
EXTERIOR
ELEVATIONS

DWG NUMBER:
Z302

intledge atcock
619 east college
avenue, suite 41
decatur, ga
30030
ph: 404.214.5797



**LEGAL DESCRIPTION; #1146 & 1152 PORTLAND AVENUE
AND #1131 & 1137 GLENWOOD AVENUE (BASED ON SURVEY
BY VALENTINO)**

All that tract or parcel of land lying and being in Land Lot 12 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino and Associates, Inc., [Job #28019; Drawing/File #28019], bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, COMMENCE at a 1/2"iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue (AKA US. HWY #23/S.R. #42; apparent 70' r/w) and the northerly right-of-way line of Portland Avenue (50' r/w).

THENCE proceeding along said northerly right-of-way line of Portland Avenue North 89 degrees 38 minutes 55 seconds West for a distance of 150.14 feet to a 1"crimp-top pipe found, said 1"crimp-top pipe found being the POINT OF BEGINNING;

THENCE continuing along said northerly right-of-way line of Portland Avenue North 89 degrees 51 minutes 49 seconds West for a distance of 49.77 feet to a 1/2"open-top pipe found;

THENCE continuing along said northerly right-of-way line of Portland Avenue North 89 degrees 43 minutes 19 seconds West for a distance of 50.19 feet to a nail found;

THENCE departing said northerly right-of-way line of Portland Avenue North 00 degrees 25 minutes 12 seconds East for a distance of 150.07 feet to a 1/2"iron pin set;

THENCE North 00 degrees 25 minutes 12 seconds East for a distance of 160.04 feet to a 3/8"iron pin found on the southerly right-of-way line of Glenwood Avenue (50' r/w);

THENCE proceeding along said southerly right-of-way line of Glenwood Avenue South 87 degrees 19 minutes 32 seconds East for a distance of 49.80 feet to a 3/4"open-top pipe found;

THENCE continuing along said southerly right-of-way line of Glenwood Avenue South 87 degrees 35 minutes 09 seconds East for a distance of 49.97 feet to a 1"open-top pipe found;

THENCE departing said southerly right-of-way line of Glenwood Avenue South 00 degrees 13 minutes 09 seconds West for a distance of 105.85 feet to a disturbed 1"crimp-top pipe found;

THENCE South 00 degrees 36 minutes 44 seconds West for a distance of 49.94 feet to a 1/2"iron pin found;

THENCE South 00 degrees 18 minutes 37 seconds West for a distance of 50.09 feet to a 1/2"iron pin set;

THENCE South 00 degrees 18 minutes 37 seconds West for a distance of 50.09 feet to a 1"open-top pipe found;

THENCE South 00 degrees 35 minutes 16 seconds West for a distance of 50.08 feet to a 1"crimp-top pipe found on the northerly right-of-way line of Portland Avenue, said 1"crimp-top pipe found being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 0.707 acres or 30,794 square feet.

City Council
Atlanta, Georgia

08-0-2125

AN ORDINANCE
BY: ZONING COMMITTEE

Z-08-73
Date Filed: 9-17-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1146 Portland Street, S.E., 1152 Portland Street, S.E. 1131 Glenwood Avenue, S.E., 1137 Glenwood Avenue, S.E., 525/527 Moreland Avenue, S.E. 529 Moreland Avenue, S.E., 535 Moreland Avenue, S.E. and 537 Moreland Avenue, S.E.**, be changed from the R-4 (Single Family Residential) District and NC-2 (Neighborhood Commercial) District to the NC-2 (Neighborhood Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 12, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTIONS/CURRENT LAND USE AND ZONING BY PARCEL

1146 Portland Street	landuse: single family	zoning: R-4
1152 Portland Street	landuse: single family	zoning: R-4
1131 Glenwood Avenue	landuse: single family	zoning: R-4
1137 Glenwood Avenue	landuse: single family	zoning: R-4
525/527 Moreland Avenue	landuse: low density commercial	zoning: NC-2
529 Moreland Avenue	landuse: low density commercial	zoning: NC-2
535 Moreland Avenue	landuse: low density commercial	zoning: NC-2
537 Moreland Avenue	landuse: low density commercial	zoning: NC-2

7-10-08
SEP 17 2008
BUREAU OF
PLANNING

LEGAL DESCRIPTION; TRACTS 1 THROUGH 8; BASED ON SURVEY BY VALENTINO

All that tract or parcel of land lying and being in Land Lot 12 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as Tracts 1 through 7 on a plat of survey prepared by Valentino and Associates, Inc., (Job #28019; Drawing/File #28019), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2"iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue (AKA US. HWY #23/S.R. #42; apparent 70' r/w) and the northerly right-of-way line of Portland Avenue (50' r/w).

THENCE proceeding along said northerly right-of-way line of Portland Avenue the following courses and distances:

North 89 degrees 38 minutes 55 seconds West for a distance of 150.14 feet to a 1"crimp-top pipe found;

THENCE North 89 degrees 51 minutes 49 seconds West for a distance of 49.77 feet to a 1/2"open-top pipe found;

THENCE North 89 degrees 43 minutes 19 seconds West for a distance of 50.19 feet to a nail found;

THENCE departing said northerly right-of-way line of Portland Avenue North 00 degrees 25 minutes 12 seconds East for a distance of 150.07 feet to a 1/2"iron pin set;

THENCE North 00 degrees 25 minutes 12 seconds East for a distance of 160.04 feet to a 3/8"iron pin found on the southerly right-of-way line of Glenwood Avenue (50' r/w);

THENCE proceeding along said southerly right-of-way line of Glenwood Avenue South 87 degrees 19 minutes 32 seconds East for a distance of 49.80 feet to a 3/4"open-top pipe found;

THENCE departing said southerly right-of-way line of Glenwood Avenue South 00 degrees 20 minutes 49 seconds West for a distance of 157.77 feet to a 1"crimp-top pipe found;

THENCE South 89 degrees 51 minutes 11 seconds East for a distance of 49.95 feet to a 1/2"iron pin found;

THENCE North 00 degrees 36 minutes 44 seconds East for a distance of 49.94 feet to a disturbed 1"crimp-top pipe found;

THENCE North 00 degrees 13 minutes 09 seconds East for a distance of 105.85 feet to a 1"open-top pipe found on the southerly right-of-way line of Glenwood Avenue;

THENCE proceeding along said southerly right-of-way line of Glenwood Avenue South 87 degrees 24 minutes 59 seconds East for a distance of 150.20 feet to a 1/2"iron pin set at the intersection of said southerly right-of-way line of Glenwood Avenue and the westerly right-of-way line of Moreland Avenue;

THENCE proceeding along said westerly right-of-way line of Moreland Avenue the following courses and distances:

South 00 degrees 17 minutes 29 seconds West for a distance of 100.00 feet to a 1" crimp-top pipe found;

THENCE South 00 degrees 22 minutes 32 seconds West for a distance of 99.73 feet to a 1" open-top pipe found;

THENCE South 00 degrees 27 minutes 50 seconds West for a distance of 50.43 feet to a 1" open-top pipe found;

THENCE South 00 degrees 22 minutes 45 seconds West for a distance of 50.03 feet to a 1/2" iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue and the northerly right-of-way line of Portland Avenue, said 1/2" iron pin found being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 1.571 acres or 68,428 square feet, and is intended to be the same tracts of land that were previously conveyed in Deed Book 40880, Page 398, Deed Book 45493, Page 23, Deed Book 13393, Page 279, and Deed Book 46030, Page 509, (combined) Fulton County Georgia Records.

TOGETHER WITH:

All that tract or parcel of land lying and being in Land Lot 12 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino and Associates, Inc., [Job #28019; Drawing/File #28019(Tract 8)], bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2" iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue (AKA US. HWY #23/S.R. #42; apparent 70' r/w) and the northerly right-of-way line of Glenwood Avenue (50' r/w).

THENCE proceeding along said northerly right-of-way line of Glenwood Avenue North 87 degrees 33 minutes 00 seconds West for a distance of 145.46 feet to a 1/2" iron pin set;

THENCE departing said northerly right-of-way line of Glenwood Avenue North 00 degrees 23 minutes 37 seconds East for a distance of 89.36 feet to a 1/2" iron pin set;

THENCE South 89 degrees 02 minutes 40 seconds East for a distance of 146.09 feet to a 1/2" iron pin found inside an open-top pipe, located on the westerly right-of-way line of Moreland Avenue;

THENCE proceeding along said westerly right-of-way line of Moreland Avenue South 00 degrees 50 minutes 15 seconds West for a distance of 93.15 feet to a 1/2" iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue and the northerly right-of-way line of Glenwood Avenue, said 1/2" iron pin found being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 0.305 acres or 13,299 square feet, and is intended to be the same tract of land that was previously conveyed in Deed Book 29225, Page 550, Fulton County Georgia Records.

RCS# 2544
11/03/08
5:08 PM

Atlanta City Council

SPECIAL SESSION

MULTIPLE

08-O-2071, 08-O-2123, 08-O-2124, ~~08-O-2125~~
08-O-2126, 08-O-2127, 08-O-2129
REFER ZRB/ZONE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

B Smith	NV Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	B Muller	Y Sheperd	NV Borders

MULTIPLE

DEPARTMENTAL AUTHORIZATION

CHAIRMAN	
<i>Mark R. Post</i>	
Date	
ZONING REVIEW BOARD	
FAVORABLE OR SUBSTITUTE	

CHAIRMAN	
<i>Mark R. Post</i>	
Date	
ZONING REVIEW BOARD	
DEFERRED	ON
12/15/09	12/15/09
UNTIL	UNTIL
12/15/09	12/15/09

CHAIRMAN	
<i>Mark R. Post</i>	
Date	
ZONING REVIEW BOARD	
DEFERRED	ON
12/15/09	12/15/09
UNTIL	UNTIL
12/15/09	12/15/09

08-0-2125

(Do Not Write Above This Line)

AN ORDINANCE 2-08-73
BY ZONING COMMITTEE

An Ordinance to rezone from the R-4 (Single Family Residential) District and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, property located at 1146 Portland Street, S.E., 1152 Portland Street, S.E., 1131 Glenwood Avenue, S.E., 1137 Glenwood Avenue, S.E., 525/527 Moreland Avenue, S.E., 529 Moreland Avenue, S.E., 535 Moreland Avenue, S.E. and 537 Moreland Avenue, S.E., fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. Depth: varies. Area: approximately 1.75 acres. Land Lot 12, 14th District, Fulton County, Georgia.
OWNER: GEORGE ROHRIG
APPLICANT: JOSEPH ALCOCK
NPU-W
COUNCIL DISTRICT 1

First Reading

Committee Date May 2, 2009
Chair [Signature]
Referred to [Signature]

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION

☐ CONSENT REFER

☐ REGULAR REPORT REFER

☐ ADVERTISE & REFER

☐ 1st ADOPT 2nd READ & REFER

☐ PERSONAL PAPER REFER

Date Referred 1-3-2008

Referred To: 2009/12/03

Date Referred

Referred To:

Date Referred

Referred To:

Municipal Clerk
Atlanta, Georgia

10- 0 -0035

U-09-22

AN ORDINANCE
BY:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-08.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **DAY CARE CENTER** is hereby granted. Said use is granted to **CHARITABLE CONNECTIONS, INC.** and is to be located at **3751 MARTIN LUTHER KING, JR. DRIVE, S.W.,** , to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 15, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

RECEIVED
OCT 1 1977
BIRMINGHAM
PLANNING

EXHIBIT "A"

DESCRIPTION OF THE LAND

U-09-22

ALL THAT TRACT OR PARCEL OF LAND, lying, being and situate in Land Lot 15 of the 14 FF District of Fulton County, Georgia, being 5.817 acres, more or less, together with all improvements located thereon, as originally shown on plat for Park West Apartments recorded in Plat Book 87, Page 93, Fulton County, Georgia Records, but which property is more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING of the lot herein described, commence at the Right-Of-Way Monument marking the point of intersection of the northeast right-of-way line of Martin Luther King Jr. Drive [a 90 foot right of way at this point] and the northwesterly right-of-way line of Bolton Road; thence running along the northeast right-of-way line of Martin Luther King Jr. Drive North 32 degrees 11 minutes 47 seconds West a distance of 164.45 feet to a Right-Of-Way Monument; thence running in a northwesterly direction along the northeasterly right-of-way line of Martin Luther King Jr. Drive along the arc of a curve in the northeasterly right-of-way of Martin Luther King Jr. Drive a distance of 3.84 feet to a point [Rebar found 1.0 feet northwest of this point], the aforesaid arc being subtended by a chord line having a length of 3.84 feet, said

curve having a radius of 3,100.77 feet North 32 degrees 13 minutes 47 seconds West; thence running North 81 degrees 31 minutes 33 seconds East a distance of 271.50 to an Open Top Found; thence running North 01 degrees 11 minutes 37 seconds East a distance of 356.89 feet to a rebar found; thence running South 88 degrees 32 minutes 24 seconds West a distance of 269.20 feet to a Rebar found; thence running North 01 degrees 28 minutes 00 seconds West a distance of 172.06 feet to a point [Rebar found 2.6 feet Southeast of said point]; thence running South 89 degrees 41 minutes 00 seconds East a distance of 82.38 feet to an Open Top found; thence running South 03 degrees 55 minutes 41 seconds East a distance of 70.63 feet to an Open Top found; thence running South 89 degrees 13 minutes 51 seconds East a distance of 340.84 feet to a point; thence running South 07 degrees 47 minutes 17 seconds West a distance of 45.93 feet to a point [Rebar found 2.6 feet East of said point]; thence running South 06 degrees 49 minutes 25 seconds West a distance of 147.88 feet to a Crimp Top found; thence running South 76 degrees 16 minutes 56 seconds East along the westerly right-of-way line of Bolton Road a distance of 268.81 feet to a point [Rebar found 1.2 feet Southwest of point]; thence running in a southwesterly direction along the arc of a curve to the right in the westerly right-of-way line of Bolton Road a distance of 217.74 feet to a Rebar found, the aforesaid arc being subtended by a chord line having a length of 217.00 feet, said curve having a radius of 762.00 feet South 18 degrees 30 minutes 49 seconds West; running thence South 25 degrees 58 minutes 47 seconds West along the westerly right-of-way line of Bolton Road a distance of 82.15 feet to a Right-Of-Way Monument found; thence running North 62 degrees 55 minutes 43 seconds West along the westerly right-of-way line of Bolton Road a distance of 22.90 feet to a Rebar found [Right-Of-Way Monument found 9.0 feet East of said point]; thence running South 26 degrees 52 minutes 47 seconds West a distance of 97.40 feet to a Re-bar found; thence running South 86 degrees 04 minutes 30 seconds West a distance of 177.00 feet to a Right-Of-Way Monument found.

09-0-2026

(Do Not Write Above This Line)

U-09-22

An Ordinance granting a Special Use Permit for a Day Care Center pursuant to Section 16—08.005 (1) (b) for property located at 3751 Martin Luther King, Jr. Drive, S.W., fronting approximately 165 feet pm the southeasterly side of Martin Luther King Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. Depth: varies. Area: approximate 5.8 acres. Land Lot 15, 14th District, Fulton County, Georgia.
OWNER: CHARITABLE CONNECTIONS, INC.
APPLICANT: CHARITABLE CONNECTIONS, INC./MICHELLE R. UCHIYEMA
NPU-T COUNCIL DISTRICT 4

- ☐ **CONSENT REFER**
☐ **REGULAR REPORT REFER**
☐ **ADVERTISE & REFER**
☐ **1st ADOPT 2nd READ & REFER**

Date Referred

11/16/09

Referred To: ZR29 / 2011006

First Reading
Committee SAVINGS
Date Nov. 7 2009
Chair John H. Hulse

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Held (see rev. side) Others	Action: Fav, Adv, Held (see rev. side) Others
Members	Members
Refer To	Refer To
Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Held (see rev. side) Others	Action: Fav, Adv, Held (see rev. side) Others
Members	Members
Refer To	Refer To

☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION

RCS# 3425
11/16/09
2:54 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

09-O-2021, 09-O-2022, 09-O-2023, 09-O-2024
09-O-2025, 09-O-2026, 09-O-2027, 09-O-2028
REFER ZRB/ZONE

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

COMMITTEE AMENDMENT FORM

DATE: 02/24/10

COMMITTEE ZONING

PAGE NUM(S)

ORDINANCE I. D. #10-O-0031

SECTION (S)

RESOLUTION I. D. #10-R-

PARA.

AMENDS THE LEGISLATION BY ADDING FOUR (4) CONDITIONS ONE OF WHICH IS A SITE PLAN DATED RECEIVED BY THE BUREAU OF PLANNING OCTOBER 06, 2009.

AMENDMENT DONE BY COUNCIL STAFF 12/02/09.

Municipal Clerk
Atlanta, Georgia

10-O-0031

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-09-17

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of 16-08.005 (1) (f) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **PERSONAL CARE HOME**, is hereby granted. Said use is granted to **DEBORAH TURNER** and is to be located at **762 Bender Street, S.W** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 86, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or map.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for U-09-17 for 762 Bender Street, S.W.

1. The site plan for 762 Bender Street, received by the Bureau of Planning on October 6, 2009.
2. The special use permit shall be valid for a period of three years with Deborah L. Turner as the operator of the personal care home. The operator/owner shall be required to provide evidence of a satisfactory review by the State of Georgia to continue the operation of the facility during the stated time period.
3. The facility shall be restricted to no more than three (3) residents excluding the live-in care giver.
4. A landscaped buffer shall be planted along the southern boundary line of the subject property to provide screening for the adjacent residential use. The landscaped buffer to be approved by the Bureau of Planning.

Municipal Clerk
Atlanta, Georgia

10-0-0031

U-09-17

AN ORDINANCE
BY:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of 16-08.005 (1) (f) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **PERSONAL CARE HOME**, is hereby granted. Said use is granted to **DEBORAH TURNER** and is to be located at **762 Bender Street, S.W** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 86, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or map.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT A

U-09-17

All that tract or parcel of land lying and being in the in Land Lot 86 of the 14th District of Fulton County, Georgia, and being Parcel I on that certain plat of survey prepared for Habitat for Humanity in Atlanta, Inc., by McClung Surveying Services, Inc., Michael R. Noles, Georgia Registered Land Surveyor No. 2646, on November 11, 2002, Job #213367, and recorded in Plat Book 235, Page 88, Fulton County, Georgia Records which plat is incorporated herein and made a part hereof by reference, said property being known as 762 Bender Street, Atlanta, Georgia according to the present system of numbering houses in Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at rebar set at the southeast corner of the intersection of Stephens Street (a 50 foot right of way) and Bender Street (a 40 foot right of way); running thence South 88 degrees 37 minutes 08 seconds East along the northerly right of way line of Stephens Street toward a 10 foot alley (not open), a distance of 118.97 feet to a rebar set; running thence South 10 degrees 46 minutes 34 seconds West along the westerly line of the 10 foot alley, a distance of 54.72 feet to a rebar set; running thence North 88 degrees 36 minutes 06 seconds West a distance of 118.87 feet to a rebar set; running thence North 10 degrees 40 minutes 15 seconds East along the easterly right of way line of Bender Street a distance of 54.67 feet to the POINT OF BEGINNING, consisting of 0.147 acres or 6418 square feet more or less.

RECEIVED
OCT - 5 2003
SHERIFF OF
FULTON COUNTY

RCS# 3397
11/02/09
2:25 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

09-O-1863, 09-O-1889, 09-O-1890, 09-O-1891
09-O-1892

REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

B Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

09-0-1890

(Do Not Write Above This Line)

AN ORDINANCE

U-09-17

BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit for a Personal Care Home pursuant to Section 6-08.005 (1) (f) for property located at 762 Bender Street, S.W., fronting approximately 60 feet on the east side of Bender Street, at the southeast corner of Bender Street and Stephens Street. Depth: varies. Area: approximately 0.147 acres. Land Lot 86, 14th District, Fulton County, Georgia.
Owner: Deborah L. Turner
Applicant: Deborah L. Turner
NPU V Council District 4

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 11/07/03

Referred To: Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee Date 11/08/03
Chair
Referred To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

MAYOR'S ACTION

CERTIFIED

FINAL COUNCIL ACTION

☐ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☐ Consent

☐ V Vote

☐ RC Vote

City Council
Atlanta, Georgia

10-O-0336

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-10-02
Date Filed: 2-9-10

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1017 Westview Drive, S.W.** be changed from RG-2 (Residential General-Sector 2) District to the MR-3-C (Multi-family Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 116, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

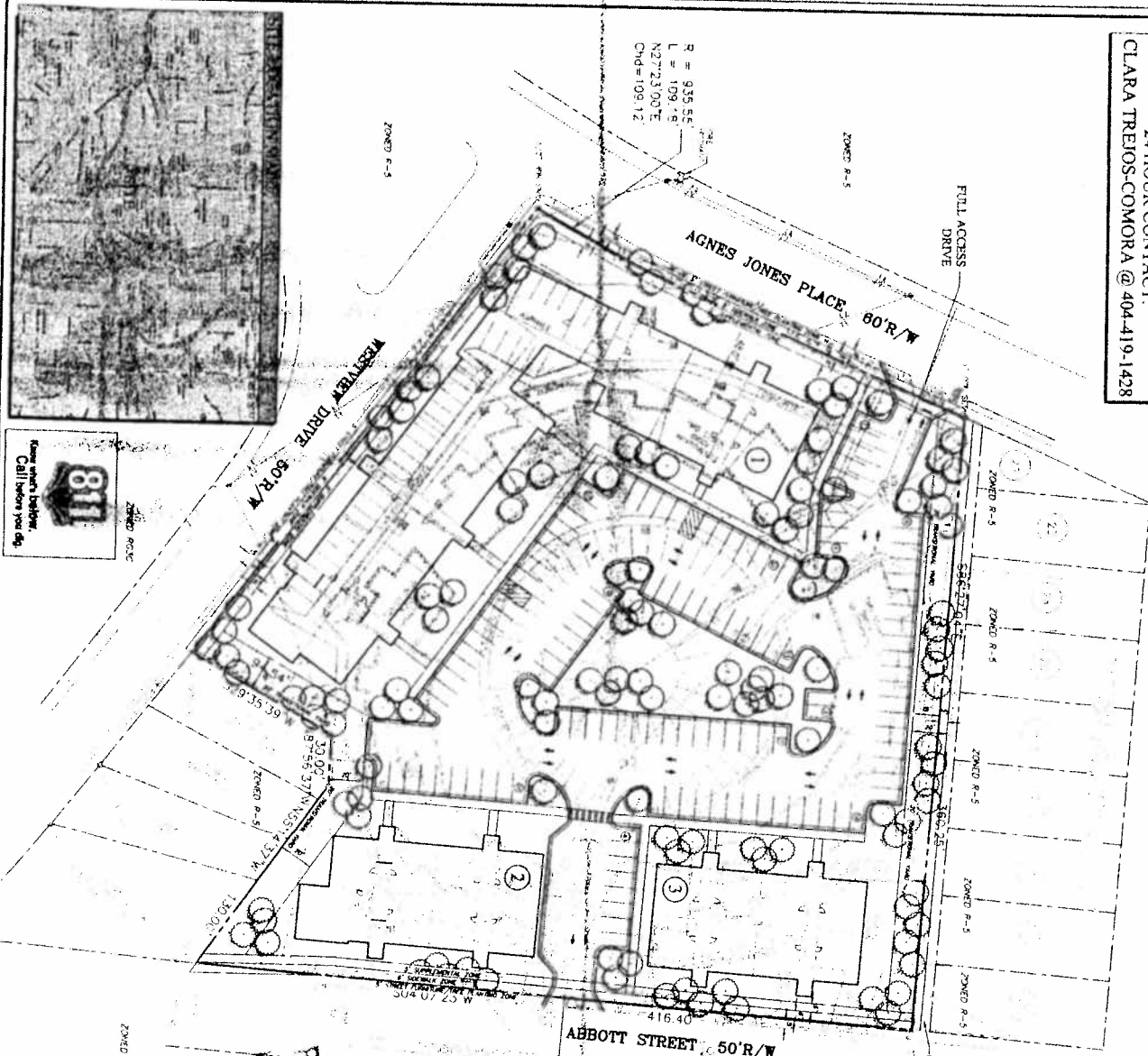
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-10-02 for 1017 Westview Drive, S.W.

1. The subject property shall be developed according to the standards established for the MR-3 district. The conceptual site plan entitled "Columbia Plaza" prepared by Planners and Engineers Collaborative dated 3/15/2010 and stamped received by the Bureau of Planning March 18, 2010 shall be referenced for development of the site and is not intended to prohibit the application of the regulations of the MR-3 zoning district.




24 HOUR CONTACT:
CLARA TREJOS-COMORA @ 404-419-1428



**Know what's below.
Call before you dig.**

RECEIVED
MAR 18 2010
Bureau of
Planning

[illegible][illegible]

   3-15-10	REZONING SITE PLAN SHEET NO. 1 OF 1	NO. 1 DATE 1-1-10 BY J. L. BROWN CHECKED J. L. BROWN DATE 1-1-10 BY J. L. BROWN	REVISIONS:		Columbia Plaza A MASTER PLANNED MULTI-FAMILY DEVELOPMENT FOR COLUMBIA RESIDENTIAL 1718 PEACHTREE STREET, NW SUITE 554, SOUTH TOWER ATLANTA, GEORGIA 30309 PHONE 404-419-1424 CITY OF ATLANTA PLANNING DEPARTMENT CONDO
			WE PROVIDE SOLUTIONS™ PLANNERS AND ENGINEERS COLLABORATIVE SITE PLANNING • LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING • LAND SURVEYING 150 RESEARCH COURT • NORCROSS, GEORGIA 30092 • (770)451-2741 • FAX (770)451-3935 • WWW.PEACATL.COM		

City Council
Atlanta, Georgia

10- 0 -0336

AN ORDINANCE
BY: ZONING COMMITTEE

Z-10-02
Date Filed: 2-9-10

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1017 Westview Drive, S.W.** be changed from RG-2 (Residential General-Sector 2) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 116, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

2-10-002

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 116 of the 14 District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a 1/2 inch rebar at the intersection of the north right of way of Westview Drive, 50 foot right of way with the east right of way of Agnes Jones Place, 60 foot right of way; thence along a curve to the left, an arc distance of 109.18 feet, said curve having a radius of 935.55 feet and being subtended by a chord of 109.12 feet, at North 27 degrees 23 minutes 00 seconds East, to a point; thence North 24 degrees 02 minutes 24 seconds East, 166.52 feet to a 1 inch open top pipe; thence South 86 degrees 27 minutes 04 seconds East, 360.25 feet to a 1/2 inch rebar; thence South 04 degrees 07 minutes 23 seconds West, 416.40 feet to a 1 inch open top pipe; thence North 55 degrees 14 minutes 37 seconds West, 130.00 feet to a 1 inch open top pipe; thence North 87 degrees 56 minutes 37 seconds West, 30.00 feet to a 1 inch open top pipe; thence South 29 degrees 35 minutes 39 seconds West, 94.54 feet to a 3/4 inch open top pipe; thence North 53 degrees 28 minutes 22 seconds West, 328.75 feet to a 1/2 rebar; said point being the POINT OF BEGINNING.

